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PATENT

Docket No.

10290US02

Anticipated Classification

Transmittal of Continuing Patent Application – Rul 1.53(b)

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/75884 U.S.PTO
021004

Pursuant to 37 CFR 1.53(b), please file a

continuation
 continuation-in-part
 divisional

application of pending prior Application No. 10/052,696 filed on 01/18/2002.

Inventor(s): **Richard W. Molstad, Douglas W. Johnson, and Yung Yip**

Title: **SYSTEMS AND METHODS FOR USING NOISE MEASUREMENT TRACKS WITH SERVOPOSITIONING SIGNALS**

1. Enclosed is a copy of the oath or declaration filed in the prior application.
2. Enclosed is a newly executed oath or declaration.
3. Enclosed is a copy of the specification as filed in the prior application.
4. Enclosed is a new specification. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.
5. Please amend the specification by inserting before the first line the sentence:
 This is a continuation-in-part of Application No. 10/052,696 filed on 01/18/2002.
6. Please cancel claims _____.
7. A preliminary amendment is enclosed.
8. Five (5) sheet(s) of **Formal** drawings are enclosed.
9. This application is being filed by less than all the inventors named in the prior application. Please delete the names of the following person(s) who are not inventors of the invention being claimed in this application:

The fee for filing the application is computed as follows:

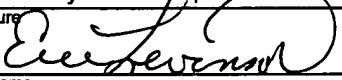
Claims As Filed, After Accounting For Any Claims Canceled Or Added In Paragraphs 6 Or 7 Above				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$770
Total Claims	13 -20 =	0	x \$18.	\$ 0
Independent Claims	3 -3 =	0	x \$86.	\$ 0
Additional fee for filing one or more multiple dependent claims			\$290.	\$
Total Filing Fee Due →				\$770.

10. Please charge to Deposit Account 09-0069 any fees under 37 CFR 1.16 and 1.17 which may be required to file and during the entire pendency of this application. This authorization includes the fee for any extension of time under 37 CFR 1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested. A duplicate for fee processing is enclosed.

11. An assignment is enclosed or of record in prior application.
12. A power of attorney is enclosed or of record in prior application.
13. Enclosed is a return receipt postcard.
14. Other **Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)**

Respectfully submitted,

Registration Number	Telephone Number
35,814	(651)704-3604
Date	10 Feb. 2004

Signature	
Print Name	Eric D. Levinson

Certificate of Express Mailing

Pursuant to 37 CFR 1.10 I certify that this application is being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Commissioner for Patents, Washington, D.C. 20231.

Express Mail Mailing Label No.
EV 406093103 US
Date of Deposit
10 February 2004

Signature of Person Mailing Application	
Printed Name of Person Mailing Application	Susan J. Daly

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Richard W. Molstad
Title	Systems & Methods for Using Noise Measurement Tracks with Servopositioning Signals	
Atty Docket Number		10290US02

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

2/10/04

Date



Signature

651 704 3604

Telephone number

Eric D. Levinson, Reg. No. 35,814

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**